IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 14TH SEPTEMBER 2007 / 23RD BHADRA 1929

Crl.MC.No. 2894 of 2007()

CMP.4283/2007 of JUDL.MAGISTRATE OF FIRST CLASS COURT, TIRUR
CRIME NO.705/07 OF TIRUR POLICE STATION

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PETITIONER:

NAJEEB, S/O. MOIDEEN,
VATTAMKALATHIL HOUSE, PALLIPURAM AMSOM,
PERINTALAYOOR DESOM, MALAPPURAM DISTRICT.

BY ADV. SRI.K.P.MUJEEB

RESPONDENTS:

STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 14/09/2007 , THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

Crl. M.C. No. 2894 OF 2007

Dated this the 14th day of September, 2007

O R D E R

Heard both sides.

2. Petitioner, who is the accused in Crime No.705/07 of the Tirur Police Station for an offence punishable under section 279 IPC, seeks a modification of the condition as per which interim custody was given to him of the vehicle involved, namely, a mini lorry bearing registration No.KL-10/A-6570 of which he claims to be the owner. Interim custody was given as per order dated 2.8.07 in CMP No.4283/07 by JFCM, Tirur, whereby solvency certificate was insisted for the sureties for the bond amount of Rs.5,00,000/- (Rupees five lakhs only).

3. The condition imposed by the learned Magistrate is modified by permitting the petitioner to execute a bond for Rs.5,00,000/- (Rupees five lakhs only) with two solvent sureties each for the like amount and by making a cash deposit of Rs.30,000/- (Rupees thirty thousand only) before the court below subject to the condition that an inventory of the vehicle shall be prepared and the vehicle shall be retained in the same condition in which it is taken delivery of and shall be produced by him as and when required by the Magistrate.

(V. RAMKUMAR, JUDGE)

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